

ORIGINAL

(40)
3/11/02
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED

HARRISBURG, PA

MAR 08 2002

SHAWN JORDAN

PLAINTIFF,

V.

ROBERT W. MEYERS,

SUPERINTENDENT, ET AL.

DEFENDENTS

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MARY E. D'AMORE, CLERK
Per W

CIVIL NO. 1:00-CV-1387

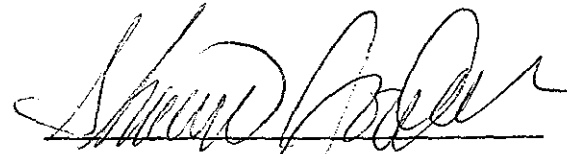
Motion For Order Compelling Discovery Rule - 37

1. Plaintiff Shawn Jordan pursuant to rule 37 of the Federal Rules of Civil Procedures, request an order compelling defendants to comply with Rule 34 Production of Documents.
2. On 9/10/01 plaintiff submitted a request for production of documents to defendants attorney, this request was granted by defendants attorney. On 10/19/01 plaintiff requested his medical records by "requestslip" to Mr.Rackovan on 10/29/01, Mr.Rackovan responded to plaintiff requestslip. Mr.Rackovan told plaintiff to contact Ms.Margarer Miller the Acting Health Care Administrator, on 1/10/02 Ms.Miller responded that I needed a Court Order - stating that plaintiff is the counselor on the above case.
3. Plaintiff then wrote to the defendant's counselor Mr.G.T.Mosley on 1/10/02, about the issue of plaintiff medical records. As of 2/13/02 plaintiff have not received a respond to the request for assistants in resolving the issue about plaintiff medical record. Defendants Attorney lead plaintiff to believe, that plaintiff would be issued his medical records without any further disputes.

4. On 2/12/02 defendant's attorney reply to a request for "Production of Documents" dated 1/5/02, directed by defendant's attorney's to contact mr.Rackovan for the requested document. Mr.Rackovan responded to my requestslip dated 3/2/02, and informed me that he can not give me the requested documents. Mr.Rackovan also state that he have called the attorney on this above civil-case, and he did not receive any reply back from the attorney's.

5. Under Rule 37(4) planitiff request that the courts grant plaintiff reasonable expenses incurred in obtaining the order, and expense, in the sum of \$300.00.

Respectfully Submitted,



Mr.Shawn Jordan, Plaintiff

Box-A-BI8942

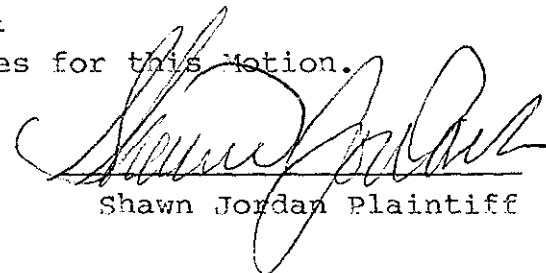
Bellefonte, Pa. 16823

Date: 3/4/02

Brief in Support

Rule 37 of the Fed.R.Civ.P. Provides for this Motion.

Date: 3/4/02



Shawn Jordan Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHAWN JORDAN

PLAINTIFF,

V.

ROBERT W. MEYERS,

SUPERINTENDENT, ET AL.

DEFENDENTS

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CIVIL NO. 1:00-CV-1387

CERTIFICATE OF SERVICE

I, Shawn Jordan, Plaintiff, hereby certify that on this date I caused to be served the foregoing, "Motion to Compel" by depositing a copy of the same in the United States Mail, postage prepaid, in Bellefonte, Pa., addressed to the following:

United States District Court
228 Walnut St.
P.O.Box-983
Harrisburg, Pa. 17108

Date: 3/4/02



Mr. Shawn Jordan - Plaintiff

Box-A-BI-8942

Bellefonte, Pa. 16823

Form DC-135A INMATE'S REQUEST TO STAFF MEMBER	Commonwealth of Pennsylvania Department of Corrections INSTRUCTIONS Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.
1. To: (Name and Title of Officer) <i>Margaret Miller,</i>	2. Date: <i>1/8/02</i>
3. By: (Print Inmate Name and Number) <i>Shawn Jordan - B18942</i> <i>Shawn Jordan</i> Inmate Signature	4. Counselor's Name 5. Unit Manager's Name <i>D. Walls.</i>
6. Work Assignment <i>None</i>	7. Housing Assignment <i>D</i>
8. Subject: State your request completely but briefly. Give details. <i>Ms. Miller,</i> <i>I Need my Medical Records, Mr. Rackover</i> <i>told me to contact you to set a day when I can</i> <i>make copies of my Records Medical. So please</i> <i>set a day for this week.</i> <i>Thank you.</i>	
9. Response: (This Section for Staff Response Only) <i>You need to have the Court OKAY</i> <i>you to be the <u>lawyer</u> to represent</i> <i>you. If you get approved please</i>	
To DC-14 CAR only <input type="checkbox"/> Bring paper	To DC-14 CAR and DC-15 IRS <input type="checkbox"/>

Staff Member Name _____ / _____ Date _____
 Print Sign

Miller *1/10/02*

RECEIVED
OCT 22 2001
Form DC-135A

Form DC-135A

Supt's Assistant's Office

Commonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer)

2. Date:

3. By: (Print Inmate Name and Number)

4. Counselor's Name

Inmate Signature

5. Unit Manager's Name

6. Work Assignment

7. Housing Assignment

8. Subject: State your request completely but briefly. Give details.

9. Response: (This Section for Staff Response Only)

Mr. Jordan

You must send a request to Mrs. Miller, the Acting Health Care Administrator, asking for a time to go to medical and review your medical records. I will advise her to set something up after you send her the request. There is no 16.3.6., and 15.3.6. has been replaced by 1.1.7 which I will provide you. Samples of work orders for opening and closing of the windows, as well as maintenance of this system will also be given to you.

To DC-14 CAR only ☐

To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

Print

J. Rackovan
Sign

Sign

Date _____

10/29/01

State Correctional Institution

RECEIVED
MAR 04 2002
Form DC-1002a. **INMATE'S REQUEST TO STAFF MEMBER**
Supt's Assistant's OfficeCommonwealth of Pennsylvania
Department of Corrections

INSTRUCTIONS

Complete items number 1-8. If you follow instructions in preparing your request, it can be responded to more promptly and intelligently.

1. To: (Name and Title of Officer) Coordinator
Mr. Rackovan Grievance

2. Date: 3-2-02

3. By: (Print Inmate Name and Number)
Shawn Jordan BI 89424. Counselor's Name
Mr. Matsick

Shawn Jordan

5. Unit Manager's Name

Mr. Walls

Inmate Signature

6. Work Assignment

7. Housing Assignment

D-119

8. Subject: State your request completely but briefly. Give details.

I was given permission to receive the following items by submitting a request slip to you for the request of the following documents:

(1) Diagram For: Emergency Evacuation Route - D-Building
Dated: 9/21/00.

(2) Any and all documents inmates are required to sign to be housed on a NON-SMOKING UNIT.

(3) Corrections Pennsylvania Addictive Classification Tool (PACT)
Note: Permission was given by Attorney General Civil Action
No. 1: CV-00-1387

9. Response: (This Section for Staff Response Only)

Mr. Jordan,

If the attorney representing the institution in this case tells me to provide you with copies of documents, I will do so. I have not received any such instructions. I contacted Mary Purdy at the Attorney General's office after your last request for documents and have heard no reply. I can say, however, I did provide these items you are requesting to Ms. Purdy at an earlier time (at the end of 2001). You need to somehow

To DC-14 CAR only ☐

have the A.G.'s office

To DC-14 CAR and DC-15 IRS ☐

Staff Member Name

Print

get with me and tell me what I can or cannot provide.
I can't give you anything without their approval.

J. Rackovan

Sign

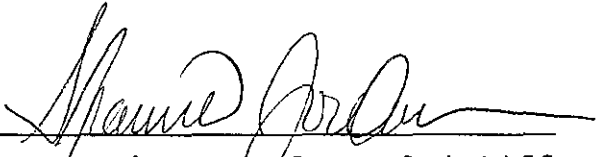
Date

3/5/02

"NOTICE OF MOTION"

TO: MR.G.T. MOSTLEY
OFFICE OF ATTORNEY GENERAL
COMMONWEALTH OF PENNSYLVANIA
STRAWBERRY SQ.
HARRISBURG, PA. 17120

PLEASE TAKE NOTICE THAT THE ORIGINAL OF THE WITHIN MOTION OR
REQUEST FOR Motion to Compel CAN/WILL BE FILED
WITH THE COURTS ON 2/10/02. UNDER FEDERAL RULES OF CIVIL
PROCEDURE OR LOCAL RULES, YOU HAVE 30 DAYS, OR UNTIL
2/10 2002, IN WHICH TO PRODUCE OR FILE A RESPONSE, OR THE
MOTION WILL BE SUBMITTED TO THE COURT AS UNCONTESTED, FAILURE TO
PRODUCE, OR FAILURE TO ANSWER.


Mr.Shawn Jordan -Plaintiff

Box-A-BI8942
Bellefonte, Pa. 16823

Mr.Shawn Jordan
Box-A-BI8942
Bellefonte, Pa. 16823

1/10/2002

To:Mr.G.T. Mosley
Office of Attorney General
Commonwealth of Pennsylvania
Strawberry Sq.
Harrisburg, Pa. 17120

Re: Discovery/Medical Files
Civil No. 1:00-CV-1387
Shawn Jordan V. Robert W. Meyers, ET AL.

Dear Mr.G.T. Mosley,

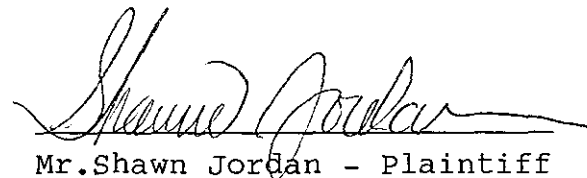
I am the Plaintiff in the above case, on October 15, 2001 the request for production of documents was granted by your office and/or the defendants. I requested my Medical Records (1) one of (9) nine items, Mr.J.A.Rackovan - Asst. Superintendent wrote to me on 10/29/01 telling me that I had to see Ms.Margei Miller to get my medical Records.

I seen Ms.Miller on 1/9/02, and told her that I requested my medical records - if she had any questions to call Mr.Rackovan, Ms.Miller tried to contact Mr.Rackovan, he was out for the day. Ms.Miller told me that she would contact Mr.Rackovan the next day for the okay to give me my medical records. On 1/10/02 Ms.Miller call me over to her Office, and told me that I needed a Court Order stating that I am my own Attorney in that above case.

I request kindly if you can call Ms.Margei Miller - Health Care Administrator at (418) 355-4874 ~~can~~ clear this matter up with her and Mr.J.A. Rackovan about my medical files which I have the right to under Discovery Rule 34.

If I don't received a respond back from your office or Ms. M Miller within (2) two Weeks on this matter, I will file a Motion to Compel Discovery.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Shawn Jordan", is written over a horizontal line.

Mr. Shawn Jordan - Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

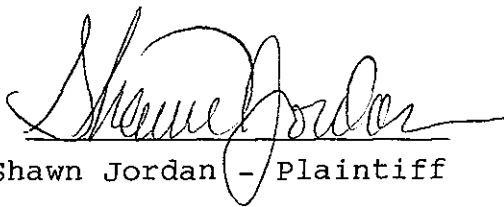
SHAWN JORDAN	:	
PLAINTIFF,	:	
	:	
V.	:	CIVIL NO. 1:00-CV-1387
	:	
ROBERT W. MEYERS,	:	
SUPERINTENDENT, ET AL.	:	
DEFENDENTS	:	

CERTIFICATE OF SERVICE

I, Shawn Jordan, Plaintiff, hereby certify that on this date I caused to be served the foregoing, Request for Medical Records by depositing a copy of the same in the United States Mail, postage prepaid, in Bellefonte, Pa., addressed to the following:

G.T. Mosley
Office Of Attorney General
Commonwealth Of Pennsylvania
Harrisburg, Pa. 17120

Date: 1/10/02


Mr. Shawn Jordan - Plaintiff
Box-A-BI-8942
Bellefonte, Pa. 16823